

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

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Richard Rex Rean,

Plaintiff,

vs.

ORDER ADOPTING
REPORT AND RECOMMENDATION

Anita Marie Hallis, Judge
Susan Miles, Washington
County Attorneys' Office,
State of Minnesota, et al.,

Defendants.

Civ. No. 07-2989 (PJS/RLE)

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Based upon the Report and Recommendation of United States Magistrate Judge Raymond L. Erickson, and after an independent review of the files, records and proceedings in the above-titled matter, **IT IS ORDERED:**

1. That the Plaintiff's Amended Complaint is summarily dismissed, without prejudice, for lack of subject matter jurisdiction, pursuant to Rule 12(h)(3), Federal Rules of Civil Procedure.
2. That the Plaintiff's Application to Proceed Without Prepayment of Fees [Docket No. 2] is denied as moot.

Dated: 9/10/07

s/Patrick J. Schiltz
Patrick J. Schiltz, Judge
United States District Court